8&ITEM NO.13 LOK ADALAT NO.2 SECTION XVIA

SUPREME COURT LOK ADALAT

TRANSFER PETITION (C) NO.699 OF 2008

RACHANA PETITIONER(S)

VERSUS

JAYESH RESPONDENT(S)

(With appln.(s) for stay and office report)

With Transfer Petition (Crl.) No.327 of 2008
Transfer Petition (Crl.) No.49 of 2007
(With appln. for stay and office report)

Date : 6th September, 2008.

The above petitions were taken up today for settlement.

CORAM:
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s) Mr. B.S. Jain,Adv.
In TP 699/2008 and Mr. Ajay Veer Singh,Adv.
TP 49/2007: Ms. Mamta Jain,Adv.
Dr. (Mrs.) Vipin Gupta,Adv.

In TP 327/2008: Mr. Shree Pal Singh,Adv.

For Respondent(s) Mr. C.D. Singh,Adv.

Mr. Shree Pal Singh,Adv.

These Matters were taken up at the Supreme Court Lok Adalat with the consent and agreement through their counsel. THE FOLLOWING ORDER/AWARD IS PASSED:

The petitioner-wife and respondent-husband are present. The petitioner's father and respondent's father are also present. Their counsel are also present.

....2/-

-2-

After negotiations, the parties have reached a settlement and the Terms of Settlement duly signed by the parties, their respective fathers and counsel has been submitted. We find that the said Terms of Settlement are reasonable and acceptable. The parties also submitted that initially the respondent will take steps to obtain an allotment of flat from his employer at Bombay so that the parties can live at Bombay. They also submitted that as and when they mutually decide to move to Indore or any other place, they will be at liberty to move from Bombay. They also agreed to extend mutual cooperation and understanding. The Terms of Settlement, as agreed to, are extracted below:

"It has been agreed between the petitioner and the respondents along with their respective fathers that

1. The father of the respondent agrees with the father of the petitioner that he will accept the appologies of Shri Devki Nandand Sone, father of the petitioner wife in front of the Jatav Samaj of the respondent's father at Indore and shall forgive him for all that has happened.

2. Sh. Devki Nandan Sone will pay a sum of Rs.50,000/- to the respondent on or before 6th of November, 2008, for obtaining allotment of flat.

3. The respondent Mr. Jayesh will apply to his Company ONGC for allotment of flat at Bombay on 10th of September, 2008.

....3/-

That Mr. Jayesh, Respondent will inform the petitioner and her family at Agra about the allotment of the flat by the Company. And shall go to Agra to take the petitioner with him to Bombay to set up his matrimonial house.

It has been agreed between the parties that they shall live as husband and wife together and that there is no other claim against each other.

That the cases filed by the petitioner against the Respondent and his family in the Courts at Agra:

i. ST No.123/07 Sec.307 IPC
State Vs. Jayesh and Ors. ASJ, Agra

ii.Case Crime No.124/2005 Sec. 498A
307
323
504
Rachna vs. Jayesh 506 IPC
read with 3/4 D.P.Act
Cases filed by Jayesh Respondent.

I. Petition for divorce pending at Indore
Misc. 370/6 Family Judge

II. Criminal Complaint No.2284/05 tilted Ramesh Chandra Ors. vs. Vijay Singh and Ors. shall be withdrawn/quashed by the Court.

Agreed accordingly."

The parties are agreed to take steps in accordance with it for putting an end to various litigation expeditiously. The petitioner will take steps not to press all the other criminal cases.
Place the matter before Court for disposal on the agreed terms.

[V.S. SIRPURKAR,J.] [R.V. RAVEENDRAN.J.]